



Federal Communications Commission  
Washington, D.C. 20554

February 6, 2012

DA 12-138

Mitchell Lazarus  
Fletcher, Heald & Hildreth, PLC  
1300 North 17th Street, 11th floor  
Arlington, VA 22209

Dear Mr. Lazarus:

This letter responds to your January 11, 2012 request<sup>1</sup> on behalf of ReconRobotics, Inc. (ReconRobotics) regarding the limit on sales of the Recon Scout, a surveillance robot that uses the 430-448 MHz segment of the 420-450 MHz band. For the reasons set forth below, we grant the request to the extent indicated.

In 2010, the Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau (the Bureaus) granted ReconRobotics a waiver to permit equipment authorization and customer licensing of the Recon Scout.<sup>2</sup> The Bureaus limited sales to 2,000 units during the first year following equipment approval and 8,000 units during the second year, and indicated that they would consider limits for later years upon a subsequent request from ReconRobotics.<sup>3</sup> ReconRobotics, which obtained equipment authorization for the Recon Scout on April 22, 2010,<sup>4</sup> now requests that it be permitted to sell up to 8,000 units during the third and fourth years following equipment authorization, with unused limits from prior years carried forward to any subsequent year.

Applications for customer licensing of the Recon Scout remain pending, but ReconRobotics states that it has received no complaints of verified interference from operation of Recon Scouts pursuant to an experimental license.<sup>5</sup> We conclude that we need not revisit the Recon Scout sales limit every two years. Consequently, we now establish an annual limit of 8,000 units, with a rollover of unused sales.<sup>6</sup> All other conditions of the waiver continue to apply.

Accordingly, IT IS ORDERED that the request of ReconRobotics, Inc., dated January 11, 2012, IS GRANTED to the extent indicated.

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<sup>1</sup> Letter dated Jan. 11, 2012 from Mitchell Lazarus, counsel for ReconRobotics, Inc. to Rick Kaplan, Chief, Wireless Telecommunications Bureau, and James Arden Barnett, Jr., Chief, Public Safety and Homeland Security Bureau.

<sup>2</sup> See ReconRobotics, Inc., *Order*, 25 FCC Rcd 1782 (WTB/PSHSB 2010), *aff'd*, 26 FCC Rcd 5895 (WTB/PSHSB/OET 2011).

<sup>3</sup> *Id.* at 1787 ¶ 11.

<sup>4</sup> FCC ID URXYSK2010-01. ReconRobotics obtained equipment authorization for another version of the Recon Scout on October 19, 2011. FCC ID URXYSK2011-01. The sales limit applies to overall sales of all versions of the Recon Scout.

<sup>5</sup> Call Sign WE2XCL.

<sup>6</sup> If ReconRobotics later finds this to be insufficient, it may request that the limit be increased or eliminated.

This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone  
Deputy Chief, Mobility Division  
Wireless Telecommunications Bureau